

FILED

MAR 12 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

OS ENTERPRISE, LLC, a California limited
liability company,

Plaintiff,

vs.

FAIRLINE DEVELOPMENT CANADA
(1992) LTD., a Canada Corporation, and
TAWA SUPERMARKET, INC. dba 99
Ranch Market,

Defendants.

Case No: C 11-4375 SBA

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Docket 46, 56

On September 5, 2013, Pearson & Pearson, APC (“Pearson”) filed an amended motion to withdraw as counsel of record for Defendant Fairline Development Canada (1992) Ltd. (“Fairline”). Dkt. 46. On December 16, 2013, the Court referred this matter to Magistrate Judge Elizabeth Laporte (“the Magistrate”) for a Report and Recommendation. Dkt. 51. On February 19, 2014, the Magistrate issued a Report and Recommendation in which she recommends granting Pearson’s motion to withdraw as counsel of record for Fairline. Dkt. 56.

Any objection to the report and recommendation of a Magistrate Judge must be filed within fourteen days of receipt thereof. Fed.R.Civ.P. 72(a); 28 U.S.C. § 636(b)(1)(C). The district court must “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made,” and “may

1 accept, reject, or modify, in whole or in part, the findings or recommendations made by the
2 magistrate judge.” 28 U.S.C. § 636(b)(1)(C).

3 The deadline to object to the Magistrate’s Report and Recommendation was March
4 5, 2014. See Fed.R.Civ.P. 6(a)(1), (d); Fed.R.Civ.P. 72(a); 28 U.S.C. § 636(b)(1)(C). To
5 date, no objection to the Report and Recommendation has been filed. In the absence of a
6 timely objection, the Court “need only satisfy itself that there is no clear error on the face of
7 the record in order to accept the recommendation.” Fed.R.Civ.P. 72, Advisory Committee
8 Notes (1983) (citing Campbell v. U.S. Dist. Court, 501 F.2d 196, 206 (9th Cir. 1974)); see
9 also United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (“The statute [28
10 U.S.C. § 636(b)(1)(C)] makes it clear that the district judge must review the magistrate
11 judge’s findings and recommendations de novo *if [an] objection is made*, but not
12 otherwise.”) (en banc). The Court has reviewed the record on its face and finds no clear
13 error. Accordingly,

14 IT IS HEREBY ORDERED THAT the Magistrate’s Report and Recommendation
15 (Dkt. 56) is ACCEPTED and shall become the Order of this Court. This Order terminates
16 Docket 46 and Docket 56.

17 IT IS SO ORDERED.

18 Dated:

3-12-14


SAUNDRA BROWN ARMSTRONG
United States District Judge